

Q10 means for receiving one or more constraints associated with the repositioning of the teeth [teeth]; and

means for generating a series of treatment path[s] segments to move the teeth from the initial positions to the final positions in accordance with the constraints, wherein the segments are used to construct a series of orthodontic appliances, each appliance configured to move the patient's teeth according to a treatment path segment.

Q11 46 45 47. (Amended) The system of claim 46, wherein one of the appliances rotates the teeth [is rotated] approximately five and ten degrees [(per stage)].

Q12 Sub B 37 50. (Amended) The system of claim 49, wherein one of the appliances moves each tooth [is moved] approximately 0.2mm to approximately 0.4mm [in each stage].

Q13 Sub 7 52. (Amended) The system of claim 51 wherein one dimension of the array identifies each segment [stage in the teeth movement].

Please cancel claims 9 and 49 without prejudice or disclaimer.

REMARKS

Examiner Interview

Applicant's representative wishes to thank Examiner Wilson for the interview accorded him on October 5, 2000. During the interview, the claim rejections were discussed.

Claim Rejections – 35 USC § 101

Claims 1-52 are rejected under 35 U.S.C. 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicant has amended independent claims 1 and 52 to recite that receiving the initial digital data set comprises receiving data obtained by scanning the patient's teeth or a physical model thereof. As discussed in the Examiner Interview, this amendment overcomes the 101 rejection. Applicant therefore respectfully requests reconsideration and withdrawal of the rejection.

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Claim Rejections – 35 USC § 112

Claims 1-52 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to correct the defects cited by the Examiner. Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection.

Claim Rejections – 35 USC § 103

Claims 1-27, 30-39 and 41-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andreiko, et al. (U.S. Pat. No. 5,454,717).

Applicant has amended independent claims 1 and 41 to recite generating treatment paths that are used to construct a series of orthodontic appliances, each appliance configured to move the patient's teeth according to a treatment path segment. As discussed during the Examiner interview, Andreiko does not teach or suggest this element.

Claims 2-27, 30-39 and 42-52 depend from either claim 1 or 41.

Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection.

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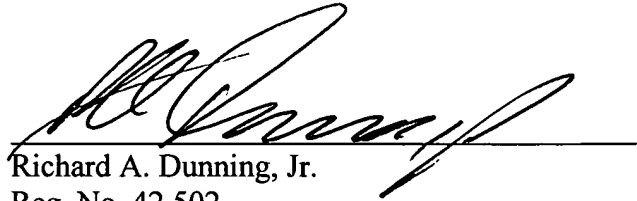
Conclusion

Applicant submits that all of the claims are now in condition for allowance, which action is requested. Filed herewith is a Petition for Automatic Extension with the required fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

10/6/00



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